

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

MICHAEL FORMICA,)	
)	
Petitioner,)	
)	Civil Action No. 7:14cv00357
v.)	
)	
SUPERINTENDENT OF THE)	By: Michael F. Urbanski
CENTRAL VIRGINIA REGIONAL)	United States District Judge
JAIL, <u>et al.</u>,)	
)	
Defendants.)	

ORDER

For the reasons set forth in the accompanying Memorandum Opinion entered this date, it is hereby **ORDERED** as follows:

1. The magistrate judge's report and recommendation (ECF No. 109) is **ADOPTED in its entirety**;
2. Respondents' motions to dismiss the § 2254 petition (ECF Nos. 59, 62, 91) are **GRANTED**;
3. Petitioner's motions to stay and abey (ECF Nos. 34, 58) are **DENIED**;
4. Petitioner's motion to amend (ECF No. 108) is **DENIED**;
5. Petitioner's § 2254 petition is **DISMISSED with prejudice**;
6. Petitioner's second motion for extension to file objections to the magistrate judge's report (ECF No. 113) is **DENIED as moot**; and
7. This matter is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the Memorandum Opinion to the pro
se petitioner and to counsel of record.

Entered: September 21, 2015

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge